

BOARD OF PUBLIC EDUCATION
MEETING MINUTES

November 3 & 4, 2005

Helena Great Northern Hotel
835 Great Northern Blvd.
Oriental Room A, B, C
Helena, MT 59601

Item 16 BULLYING, INTIMIDATION AND HARASSMENT POLICY REQUIREMENT

Ms. Bramer, Office of Public Instruction, Mr. Vogel, Montana School Boards Association (MTSBA) and Mr. Meloy, Board of Public Education, all members of the Montana Healthy Schools Network who worked on this policy requirement presented information regarding a model policy, along with suggested changes to Montana Accreditation Standards.

Mr. Meloy gave a brief background on this issue, including a synopsis of SB 198, which is a bill that requested the legislature speak to bullying, intimidation, and harassment in the school districts.

Ms. Bramer stated that data collection and reporting from school districts is in place and a report will be ready by the legislative session 2007.

Mr. Vogel reminded the Board that they are not adopting **one specific policy**, but only the requirement that schools adopt a policy, local control will dictate which policy they adopt. He feels it is appropriate that the Board address school safety and the environment. MTSBA will continue to review the existing model policy.

Kristine Kaufmann, co-director at the Montana Human Rights Network, and also a state representative from Helena, talked about a 30-minute video that addresses bullying, intimidation and harassment with regards to students; copies are being made and can be distributed to those who are interested. She also distributed a document titled, Get Real, Real Facts, Real Solutions Addressing Harassment, Bullying, Intimidation in Montana Schools.

Deborah Schaaf, staff attorney, American Civil Liberties Union, reiterated what Ms. Kaufmann said with regarding potential liability issues. Requiring a policy without stating what should be in the policy opens schools up for liability issues.

Beth Brennenman, staff attorney, Montana Advocacy Program, represents people with disabilities, supports the committee's recommendation.

Darrell Rud, Executive Director, SAM, supports the committee's recommendation. Mr. Rud was previously a school principal and was actively involved with another group of principals in school districts that took actions to develop a policy with regards to care and respect. The policy is where you start to address the problems, and you need other things to follow up the policy to implement this policy. All the associations that Mr. Rud works for and with vow to support this policy.

Erik Burke, MEA-MFT, appreciates the following through with this policy of the Board; it sends a good signal to the legislature. MEA-MFT supports the policy statement in front of the Board and thinks it should be adopted. They also feel there will have to be actions from MEA-MFT to put this policy in place and offers their assistance and commitment in doing so.

Bruce Messinger, Superintendent Helena Public Schools lent his support as well. One of the motivating factors to adopt a policy in Helena Public Schools was a number of hazing, harassment, and intimidation issues seen.

Mr. Fuller then asked members of the Board for any comments or discussion on this issue. Ms. Fladmo asked if there were any attorneys in place to periodically take a look at the policy to continuously revise it.

Dr. Miller asked for some clarification on the process and procedures following action by the Board. Pending public hearing and adoption of rule changes, what is the general process for getting information to the school districts for their reaction? Mr. Meloy stated that the motion would require "a policy" and then the OPI and MTSBA would house, in their resources, the list of the ten guidelines plus model policies. Dr. Miller asked that Claudette Morton from Small Schools Alliance be brought into the discussion to help incorporate the ten guidelines with regards to the rural schools.

Ms. Fladmo asked how the Office of Public Instruction would address accountability issues. Superintendent McCulloch stated that a report would be prepared and brought to the Board of Public Education.

Mr. Jessop stated that any model policy should also include verbal harassment, which he feels is not being addressed in the schools as well as the physical harassment, intimidation and bullying issues are.

MOTION: Ms. Myers moved that the Board of Public Education notice for hearing revisions to 10.55.701, 10.55.801 and 10.55.1003 and that the Board of Public Education require all Montana school districts to adopt and implement bullying, intimidation, and harassment prevention policies by May 2006 and to proactively address bullying prevention. A list of suggested district policy features that are consistent with this position statement will be attached to this motion and offered as a guide for districts. Mr. Fuller added a statement to the original motion that included an accountability mechanism to be provided to the Board of Public Education by January 2007 through the Office of Public Instruction. The motion was seconded by Mr. Fuller and unanimously carried.